HON'BLE THE CHIEF JUSTICE SRI G.S. SINGHVI
AND
HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No.14927 of 2006

Between:

Akula Srinivas

... Petitioner

And

The State Election Commission,
Rep. by its Secretary and others

... Respondents

:: ORDER::

Counsel for the Petitioner: Shri M.V.S.Prasad,
for Shri V.Ch. Naidu

Counsel for respondent No.1: Shri V.V. Prabhakara Rao

Counsel for respondent Nos.2
to 5: Government Pleader for
Panchayat Raj and Rural
Development

April 12, 2007

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Per G.S. Singhvi, CJ

In this petition, petitioner – Akula Srinivas has prayed for quashing the decision of the State Election Commission to disqualify those who are having subsisting contract with the State Government to work as fair price shop dealer.

A perusal of the record of the case shows that while issuing "rule nisi" on 19-7-2006, the learned Single Judge passed an interim order, which enabled the petitioner to contest election for the post of Sarpanch.

Learned counsel for the parties say that in the election held in June, 2006, the petitioner was declared elected to the post of Sarpanch of Khanapur Gram Panchayat, Adilabad and that his election is under challenge in the election petition filed by Shri Bonagiri Gangaram under Section 233 of the Andhra Pradesh Panchayat Raj Act, 1994 read with the Andhra Pradesh Panchayat Raj (Election Tribunals in respect of Gram Panchayats, Mandal Parishads and Zilla Parishads) Rules, 1995.

In view of the above development, the writ petition is disposed of as infructuous. However, it is made clear that this order shall not affect the disposal of the election petition pending in the Court of Junior Civil Judge, Nirmal and the officer concerned shall adjudicate the issues raised in the election petition without being influenced by

this order.

As a sequel to disposal of the writ petition as infructuous, WPMP No.18607 of 2006 filed by the petitioner for interim relief is also disposed of as infructuous.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

April 12, 2007

svs